

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELIZABETH DE COSTER, *et al.*, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 2:21-cv-00693-JHC

STIPULATED MOTION AND
ORDER REGARDING
DOCUMENTS ALSO PRODUCED
IN COORDINATED ACTIONS

DEBORAH FRAME-WILSON, *et al.*, on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 2:20-cv-00424-JHC

CHRISTOPHER BROWN, *et al.*, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

No. 22-cv-00965-JHC

STIPULATED MOTION & ORDER RE: DOCUMENTS
ALSO PRODUCED IN COORDINATED ACTIONS
(Nos. 2:20-cv-00424-JHC; 2:21-cv-00693-JHC; 2:22-cv-00965-JHC)

STIPULATED MOTION

Pursuant to Local Civil Rules 7(d)(1) and 10(g), the Parties in the above-captioned actions, by and through their respective counsel, agree to the following stipulation regarding certain discovery in these matters.

The Parties agreed and the Court ordered that Amazon would produce to Plaintiffs in these matters certain documents Amazon produced in *People of the State of California v. Amazon.com, Inc.*, No. CGC-22-601826 (Cal. Super. Court, San Francisco) (“*California Action*”) and *FTC v. Amazon.com, Inc.*, No. 2:23-cv-01495-JHC (W.D. Wash.) (“*FTC Action*”). See *Frame-Wilson et al. v. Amazon.com, Inc.*, Order Re: Discovery Coordination, Class Certification Briefing Schedule & Rule 30(b)(6) Deposition, Dkt. 172 at 5.

The Court ordered that “Fact discovery in the above-captioned cases shall be coordinated with fact discovery” in the *California Action* and the *FTC Action*, and that the Parties “shall use all reasonable efforts to coordinate the depositions of Amazon witnesses and nonparty witnesses across all of the coordinated cases,” “absent either (i) agreement of the parties or (ii) a showing of good cause and order of the Court.” *Id.* at 5-6.

Accordingly, to facilitate the coordination of fact discovery and depositions of Amazon and nonparty witnesses across the coordinated cases, the Parties stipulate and agree as follows:

1. When Amazon produces to Plaintiffs in these matters documents that have been produced (by either Amazon or a nonparty) in the *California Action* or the *FTC Action*, Amazon will provide to Plaintiffs metadata field(s) indicating the Bates number(s) assigned to the documents in the *California Action* and/or the *FTC Action*.

2. If exhibits marked during the depositions of any Amazon or nonparty witnesses bear the Bates number(s) applied to the documents in the *California Action* and/or the *FTC Action* but do not bear the Bates number(s) applied to the documents in these matters, the Parties may, but are not required to, read the Bates number(s) from these matters into the record at the deposition. To the extent a participant in a coordinated deposition disagrees with the provisions described in Paragraph 2, the Parties agree to promptly meet and confer with each other and

1 other participants in the coordinated deposition to resolve any disagreements. The resolution of
 2 any such disagreement shall be documented in writing and agreed to by all parties participating
 3 in the coordinated deposition.

4 3. The Parties may, in connection with the preparation of trial exhibits in these
 5 matters, replace the versions of the exhibits marked during the depositions of any Amazon or
 6 nonparty witnesses with an identical version of the document that bears the Bates number(s) in
 7 these matters.

8 4. The Parties will not object to the admissibility of an exhibit marked in the
 9 deposition of any Amazon or nonparty witnesses, or corresponding testimony, solely on the
 10 ground that the document marked during the deposition did not bear these matters' Bates
 11 number(s) so long as the version produced in these Actions is identical to the version marked
 12 during the deposition. The Parties reserve all rights to object to the admissibility of any exhibit or
 13 deposition testimony on any other ground(s).

14
 15 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

16 DATED: September 26, 2024

Respectfully submitted,

17 HAGENS BERMAN SOBOL SHAPIRO LLP

18 By: /s/ Steve W. Berman

19 Steve W. Berman (WSBA No. 12536)

20 By: /s/ Barbara A. Mahoney

Barbara A. Mahoney (WSBA No. 31845)

1301 Second Avenue, Suite 2000

Seattle, WA 98101

Telephone: (206) 623-7292

Facsimile: (206) 623-0594

E-mail: steve@hbsslaw.com

E-mail: barbaram@hbsslaw.com

25 Anne F. Johnson (*pro hac vice*)

594 Dean Street, Suite 24

Brooklyn, NY 11238

Telephone: (718) 916-3520

E-mail: annej@hbsslaw.com

KELLER POSTMAN LLC

Zina G. Bash (*pro hac vice*)
111 Congress Avenue, Suite 500
Austin, TX, 78701
Telephone: (512) 690-0990
E-mail: zina.bash@kellerpostman.com

Jessica Beringer (*pro hac vice*)
Shane Kelly (*pro hac vice*)
150 North Riverside Plaza, Suite 4100
Chicago, Illinois 60606
Telephone: (312) 741-5220
E-mail: jessica.beringer@kellerpostman.com
E-mail: shane.kelly@kellerpostman.com

Roseann Romano (*pro hac vice*)
1101 Connecticut Avenue, N.W., Suite 1100
Washington, DC 20036
Telephone: (202) 983-5484
E-mail: roseann.romano@kellerpostman.com

*Interim Co-Lead Counsel for Plaintiffs and the
proposed Class*

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Alicia Cobb
Alicia Cobb, WSBA # 48685
1109 First Avenue, Suite 210
Seattle, WA 98101
Telephone: (206) 905-7000
Email: aliciacobb@quinnemanuel.com

Steig D. Olson (*pro hac vice*)
David D. LeRay (*pro hac vice*)
Nic V. Siebert (*pro hac vice*)
Maxwell P. Deabler-Meadows (*pro hac vice*)
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Email: steigolson@quinnemanuel.com
Email: davidleray@quinnemanuel.com
Email: nicolassiebert@quinnemanuel.com
Email: maxmeadows@quinnemanuel.com

Adam B. Wolfson (*pro hac vice*)
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017-2543
Telephone: (213) 443-3000
Email: adamwolfson@quinnemanuel.com

*Interim Executive Committee for Plaintiffs and the
proposed Class*

DAVIS WRIGHT TREMAINE LLP

By: /s/ John A. Goldmark
John A. Goldmark, WSBA #40980
MaryAnn Almeida, WSBA #49086
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1610
Telephone: (206) 622-3150
Email: JohnGoldmark@dwt.com
Email: MaryAnnAlmeida@dwt.com

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

Karen L. Dunn (*pro hac vice*)
William A. Isaacson (*pro hac vice*)
Amy J. Mauser (*pro hac vice*)
Kyle Smith (*pro hac vice*)
2001 K Street, NW
Washington, D.C. 20006-1047
Telephone: (202) 223-7300
Email: kdunn@paulweiss.com
Email: wisaacson@paulweiss.com
Email: amauser@paulweiss.com
Email: ksmith@paulweiss.com


Meredith Dearborn (*pro hac vice*)
535 Mission Street, 24th Floor
San Francisco, CA 94105
Telephone: (628) 432-5100
Email: mdearborn@paulweiss.com

Attorneys for Defendant Amazon.com, Inc.

ORDER

Pursuant to the Parties' above stipulation, IT IS SO ORDERED.

Dated this 26th day of September, 2024.



John H. Chun
UNITED STATES DISTRICT JUDGE